

ARGUMENTS/REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application.

Claims 1-10 and 23-27 are now present in this application. Claims 11-22 were previously canceled. Claims 1, 7 and 23 are independent. Reconsideration of this application is respectfully requested.

Examiner Interview

Applicant wishes to thank the Examiner for the courtesies extended to Applicant's representative during the telephonic interviews, which were conducted on March 17, 2004 and March 18, 2004. During the interviews, Applicant's representative asserted that the rejection of claims under 35 U.S.C. 112, 2nd paragraph should be withdrawn, and that the application should be allowed because the features in question are not disclosed or suggested by the prior art of record. Particularly, the Applicant's representative pointed out that substantially means to a great extent, and thus, is supported by the Applicant's disclosure.

The Examiner stated that an acceptable definition of the term "substantial" should be sufficient to warrant withdrawing the rejection under 35 U.S.C. 112, 2nd paragraph, and this should place the Application into condition

for allowance. The Applicant has provided a response as required by the Examiner, in the paragraph below.

Accordingly, reconsideration and allowance of the present application are respectfully requested.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claims 1-10 and 23-27 stand rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language is not clearly understood. Particularly, the Examiner states that the term “substantially” in claims 1, 7 and 23 is a relative term which renders the claim indefinite. The Examiner states that the term “substantially” is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The Examiner states that the “reflecting film overlapping an adjacent gate line substantially” needs to define how much overlap is considered to be substantial.

MPEP 2173.05(b) provides that the fact that claim language, including terms of degree, may not be precise, does not automatically render the claim indefinite under 35 U.S.C. 112 2nd paragraph. *Seattle Box Co., v. Industrial*

Crating & Packing, Inc., 731 F.2d 818, 221 USPQ 568 (Fed. Cir. 1984).
Acceptability of the claim language depends on whether one of ordinary skill in the art would understand what is claimed, in light of the specification.

When a term of degree is presented, a determination is to be made as to whether the specification provides some standard for measuring that degree. If it does not, a determination is made as to whether one of ordinary skill in the art, in view of the prior art and the status of the art, would be nevertheless reasonably apprised of the scope of the invention.

The Applicant submits that the specification provides both a standard for measuring a degree, and also that one of ordinary skill in the art would be reasonably apprised of the scope of the invention. In particular, the Applicant's original specification contrasts the features of the conventional art with the claimed features of the Applicant's invention. With regard to the conventional art, the specification notes that in Fig. 5 (conventional art) the reflecting film 36 overlaps with every inner edge of the gate line 25 and the data line 24, in order to form a storage capacitance (page 9, lines 20-25).

By contrast, in the portion of the Applicant's claimed invention shown in Fig. 4, in order to form a storage capacitance, the edges of the upper side and the left side in the reflecting film 3 overlap with the greater part of the gate line

25 and the data line 24 (see page 10, lines 8-10). The Applicant submits that greater part of the gate line being overlapped (see Fig. 4) is synonymous with the most common definition of substantial e.g., to a great extent.

Applicant submits that the disclosure is thorough in its definition. The degree of overlap is both described textually in the description and illustrated visually in the drawings. Therefore, the Applicant affirms that the definition of substantially as claimed in the claims is consistent with the definition provided in the specification, that is, the greater part.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. §§ 102 and 103

Claims 7-10 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kubo and Claims 1-6 and 23-27 stand rejected under 35 U.S.C. 103(a) over Kubo, in view of U.S. Patent No. 4,017,156 to Moriyama. These rejections are respectfully traversed.

Kubo discloses a reflective pixel electrode 61, gate lines 53 and data lines 59a (see Figs. 21 and 22). The Examiner asserts that an outer edge at a side of the reflective film 61 overlaps one of the gate lines (53) "substantially".

The Applicant submits, however, that the reflective pixel electrode 61 overlaps an edge part of gate line 53 only "slightly". However, the greater part of gate line 53 is not overlapped by pixel electrode 61. The difference between the slight overlap of gate line 53 by pixel electrode 61 (shown in figure 21 of Kubo) and the substantial overlap shown in Fig. 4 of the Applicant's disclosure is a pronounced difference. More discussion is provided on page 10, lines 8-12 of the Applicant's disclosure.

Based on the discussions provided above, Kubo fails to teach or suggest a reflecting film on an inner side of the first transparent substrate adjacent to the liquid crystal layer, the reflecting film defining a light-transmitting region, wherein said light transmitting region is disposed between an inner edge of a gate line and a side of an outer edge periphery of said reflecting film in each pixel, an opposing side of said reflecting film overlapping an adjacent gate line substantially, as recited in independent claim 1 and similarly stated in independent claims 7 and 23. Moriyama cannot supply this deficiency. Reconsideration and withdrawal of these art grounds of rejection is respectfully requested.

Claims 2-6, 8-10 and 24-27 depend, either directly, or indirectly on independent claims 1, 7 and 23, which are allowable for the reasons set forth above, and therefore claims 2-6, 8-10 and 24-27 are allowable based on their

dependence from claims 1, 7 and 23. Reconsideration and allowance thereof are respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.


If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Percy L. Square, Registration No. 51,084, at (703) 205-8034, in the Washington, D.C. area.

Prompt and favorable consideration of this Request for Reconsideration is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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